

**Notice of Allowability**

Application No.

10/058,432

Examiner

Gary C. Vieaux

Applicant(s)

SUDA, HIROFUMI

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 4/17/2006 *Amendment filed*
2. ☒ The allowed claim(s) is/are 1, ~~8~~ 10 and 12-14 (now formally renumbered as 1-11, respectively).
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

## **EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE**

### ***Amendment***

The Amendment filed April 17, 2006 has been received and made of record. In  
5 response to the Office Action dated January 23, 2006, claims 1, 8, and 12 have been  
amended. Claims 13 and 14 have been added.

### ***Response to Amendment***

In response to Applicant's amended claim 1, the Examiner finds the amendment  
10 to correct the previously identified issue regarding antecedent basis, and therefore, the  
objection to claim 1 is hereby withdrawn.

In response to Applicant's amended claim 12, the Examiner finds the amendment  
to correct the inconsistencies regarding proper plural form, and therefore, the objection  
to claim 12 is hereby withdrawn.

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### ***Response to Arguments***

Applicant's arguments with respect to independent claims 1, 4-5, and 12 have  
been fully considered and are persuasive. The rejections of claims 1, 4-5, and 12 have  
been withdrawn.

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### ***Allowable Subject Matter***

**Claims 1, 4-10, and 12-14 are allowed.**

The following is an examiner's statement of reasons for allowance:

Regarding independent claim 1, the prior art is not found to teach or fairly suggest, in combination with the existing elements of the present claim as currently amended, a recording apparatus comprising generating means for generating play list data according to the recording operation of the moving image signal by said recording medium interface, the play list data being arranged to control a reproducing process of the moving image stream recorded on the recording medium so as to inhibit reproducing of the preceding moving image signal and the succeeding moving image signal, and reproduce the main moving image signal.

Regarding independent claim 12, the prior art is not found to teach or fairly suggest, in combination with the existing elements of the present claim as currently amended, a recording apparatus comprising generating means for generating a play list data according to the recording operation of the moving image data by said recording means, the play list data being arranged to control a reproducing process of the moving image stream recorded on the recording medium so as to reproduce the main moving image signal in the moving image stream, and wherein said generating means updates the play list data, in response to recording of new moving image stream, to control the reproducing process of the moving image stream so as to reproduce successively the main moving image data included in a plurality of moving image streams recorded on the recording medium prior to the new moving image stream and the main moving image data included in the new moving image stream.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Yerazunis (EP 985899 A1) discloses recording video prior to and after an event.

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### ***Contact***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gary C. Vieaux whose telephone number is 571-272-7318. The examiner can normally be reached on Monday - Friday, 8:00am - 4:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, NgocYen T. Vu can be reached on 571-272-7320. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

- 5 For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gary C. Vieaux  
Examiner  
Art Unit 2622

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TUAN HO  
PRIMARY EXAMINER